

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA :</b>	<b>:</b>	<b>DATE FILED: <u>4/4/06</u></b>
<b>v.</b>	<b>:</b>	<b>CRIMINAL NO. <u>06-154</u></b>
<b>MICHAEL CONWAY and</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>SHAWN PORTER,</b>	<b>:</b>	<b>18 U.S.C. § 1951(a) (conspiracy to</b>
<b>a/k/a "Shizz"</b>	<b>:</b>	<b>interfere with interstate commerce by</b>
	<b>:</b>	<b>robbery - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 1951(a) (interference with</b>
	<b>:</b>	<b>interstate commerce by robbery</b>
	<b>:</b>	<b>- 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 924(c)(1) (using and carrying</b>
	<b>:</b>	<b>a firearm during a crime of violence</b>
	<b>:</b>	<b>- 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times relevant to this indictment:

1. Wyoming Pizza, a restaurant located at 601 East Wyoming Avenue in Philadelphia, Pennsylvania, was engaged in interstate commerce.
2. On or about November 19, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**MICHAEL CONWAY and  
SHAWN PORTER,  
a/k/a "Shizz,"**

conspired and agreed together to commit robbery, which robbery would unlawfully obstruct,

delay and affect commerce, and the movement of articles and commodities in commerce, in that defendants CONWAY and PORTER conspired to unlawfully take and obtain money and other items of value from delivery persons employed by the business set forth in paragraph 1 above, against their will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to their person and property, all in violation of Title 18, United States Code, Section 1951(a), (b)(1) and (b)(3).

#### **MANNER AND MEANS**

It was part of the conspiracy that the defendants MICHAEL CONWAY and SHAWN PORTER (“the conspirators”):

3. Obtained over \$300 in cash through the commission of an armed robbery of a delivery person employed by the business listed in paragraph 1 above, and by placing that delivery person in fear of physical harm.
4. Called Wyoming Pizza by telephone and placed an order for the delivery of a pizza to an address on the 800 block of Bridge Street, in Philadelphia.
5. Waited on the 800 block of Bridge Street, while armed with handguns, for the delivery person to arrive.
6. Threatened and intimidated at gunpoint the delivery person who arrived to deliver the order.
7. Took cash and food from the delivery person.
8. Received a portion of the stolen money.

### **OVERT ACTS**

In furtherance of the conspiracy and to effect the objects of the conspiracy, the defendants committed the following overt acts, among others, in the Eastern District of Pennsylvania:

On or about November 19, 2005:

1. Defendants CONWAY and PORTER agreed to rob a pizza delivery person from Wyoming Pizza, who was coming to the 800 block of Bridge Street to deliver a pizza.
2. Defendants CONWAY and PORTER, both armed with handguns, waited for the delivery person to arrive.
3. Defendants CONWAY and PORTER approached the delivery person with handguns, and stole approximately \$300, a wallet, and other items from the delivery person's pockets, and the food order that was being delivered.
4. After the robbery, the defendants met at PORTER's house, where they divided the proceeds of the robbery.

All in violation of Title 18, United States Code, Sections 1951(a) and 2.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraph 1 of Count One of this indictment is incorporated here.
2. On or about November 19, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**MICHAEL CONWAY and  
SHAWN PORTER,  
a/k/a “Shizz,”**

obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, by robbery, in that, defendants CONWAY and PORTER unlawfully took and obtained cash and other items of value from Wyoming Pizza, a restaurant located at 601 East Wyoming Avenue in Philadelphia, Pennsylvania, in the presence of an employee of Wyoming Pizza and against his will, by means of actual and threatened force, violence, and fear of injury, immediate and future to the employee of Wyoming Pizza, by pointing a firearm at, demanding money from, and otherwise threatening him.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about November 19, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**MICHAEL CONWAY and  
SHAWN PORTER,  
a/k/a “Shizz,”**

knowingly used and carried, and aided and abetted the use and carrying of, a firearm during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, interference with commerce by robbery, in violation of Title 18, United States Code, Sections 1951(a) and 2.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

**A TRUE BILL:**

**GRAND JURY FOREPERSON**

**PATRICK L. MEEHAN**  
**United States Attorney**